



**US Army Corps
of Engineers®**
New England District

696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Date: February 17, 2009
Comment Period Ends: March 19, 2009
File Number: NAE-2008-3449
In Reply Refer To: Ms. Diane M. Ray
Or by e-mail: diane.m.ray@usace.army.mil

The District Engineer has received a permit application from the applicant below to **conduct work in waters of the United States** as described below.

APPLICANT: Boating on the Thames, LLC

ACTIVITY: Removal of existing piles and installation of new structures for transient boating.
A detailed description and plans of the activity are attached.

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in the Thames River at Mohegan Avenue, New London, Connecticut. The proposed location on the USGS New London quadrangle sheet is at Latitude 41.38561, Longitude -72.09858

AUTHORITY: Permits are required pursuant to Section 10 of the Rivers and Harbors Act of 1899.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ESSENTIAL FISH HABITAT

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

This project will impact approximately 4,700 square feet of Essential Fish Habitat (EFH) for species managed under the Magnuson-Stevens Sustainable Fisheries Act (MSA) listed below. This habitat consists of sandy/silt substrates. Loss of this habitat may adversely affect the species life stages listed in the designated EFH attached below. The habitat provides both food and shelter or other functions and values for those species' life stages. There is no mitigation being offered, at this time. However, the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

SECTION 106 COORDINATION

Based on his initial review, the District Engineer has determined that the proposed work may impact properties listed in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfil requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the permit review process.

ENDANGERED SPECIES CONSULTATION

The New England District, Army Corps of Engineers has reviewed the list of species protected under the Endangered Species Act of 1973, as amended, which might occur at the proposed project site during the construction and subsequent operation/use period sought by the applicant. We have undertaken a Biological Assessment (BA) of the potential for interactions and adverse impacts to those listed species. It is our determination that the proposed activity for which authorization is being sought is designed, situated or will be operated/used in such a manner that it is not likely to adversely affect any federally listed endangered or threatened species or their designated critical habitat. By this Public Notice, we are requesting that the appropriate Federal Agency concur with our BA determination.

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved **Coastal Zone Management Programs**. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

The following authorizations have been applied for, or have been, or will be obtained:

- ☒ (X) Permit, License or Assent from State.
- ☐ () Permit from Local Wetland Agency or Conservation Commission.
- ☐ () Water Quality Certification in accordance with Section 401 of the Clean Water Act.

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FILE NO. NAE-2008-3449


In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Ms. Diane M. Ray at (978) 318-8831, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

For more information on the New England District Corps of Engineers programs, visit our website at <http://www.nae.usace.army.mil>.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.



Robert J. DeSista
Chief, Permits and Enforcement Branch
Regulatory Division

If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____
ADDRESS: _____

PROPOSED WORK AND PURPOSE

The proposed work includes the removal of existing piles and the construction and maintenance of the following new structures for transient docking:

An 8' x 84' float section, an 8' x 144' float section, a 10' x 49' float section, a 3' x 32 aluminium access ramp, an 8' x 124' float section, three (3) 4' x 10' finger floats, an 8' x 34' float section, an 8' x 108' float section and an 8' x 70' float section.

These structures will be placed along an existing bulkhead and along an existing stone jetty and will be seasonally removed. The proposed slip capacity of the boating facility will be approximately 26 to 30.

The work is described on the enclosed plans entitled "Boating on the Thames, New London, Connecticut" in six sheets, dated, "October 2, 2008".

Summary of Essential Fish Habitat (EFH) Designation

10' x 10' Square Coordinates:

Boundary	North	East	South	West
Coordinates:	41° 30.0' N	72° 00.0' W	41° 20.0' N	72° 10.0' W
	41° 20.0' N	72° 00.0' W	41° 10.0' N	72° 10.0' W

Square Description (i.e. habitat, landmarks, coastline markers): Square Description (i.e. habitat, landmarks, coastline markers): The waters within this square within the Connecticut River estuary affecting the following: within New London Harbor from Long Island Sound on the south, north upriver to Norwich within the Thames River. These waters affect the following: Greens Harbor, Hog Back, White Rock, Melton Ledge, Groton, CT., and New London CT.,

Species	Eggs	Larvae	Juveniles	Adults
Atlantic salmon (<i>Salmo salar</i>)			X	X
pollock (<i>Pollachius virens</i>)			X	X
red hake (<i>Urophycis chuss</i>)	X	X	X	x
winter flounder (<i>Pleuronectes americanus</i>)	X	X	X	X
windowpane flounder (<i>Scopthalmus aquosus</i>)	X	X	X	X
Atlantic sea herring (<i>Clupea harengus</i>)			X	X
bluefish (<i>Pomatomus saltatrix</i>)			X	x
long finned squid (<i>Loligo pealei</i>)	n/a	n/a		X
short finned squid (<i>Illex illecebrosus</i>)	n/a	n/a		X
Atlantic butterfish (<i>Peprilus triacanthus</i>)			X	X

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summer flounder (<i>Paralichthys dentatus</i>)		X	X	X
scup (<i>Stenotomus chrysops</i>)	X	X	X	X
black sea bass (<i>Centropristus striata</i>)	n/a		X	X
spiny dogfish (<i>Squalus acanthias</i>)	n/a	n/a		X
king mackerel (<i>Scomberomorus cavalla</i>)	X	X	X	X
Spanish mackerel (<i>Scomberomorus maculatus</i>)	X	X	X	X
cobia (<i>Rachycentron canadum</i>)	X	X	X	X
sand tiger shark (<i>Odontaspis taurus</i>)		X		
little skate (<i>Raja erinacea</i>)			X	X
Winter skate (<i>Raja ocellata</i>)			X	X



SCALE: 1 = 12,000

MAP TAKEN FROM 7.5 MINUTE USGS TOPOGRAPHIC MAPS OF THE UNCASVILLE, CONNECTICUT QUADRANGLE, 1960 (PHOTOINSPECTED 1976, PHOTOREVISED 1984).

Coastline Consulting, LLC

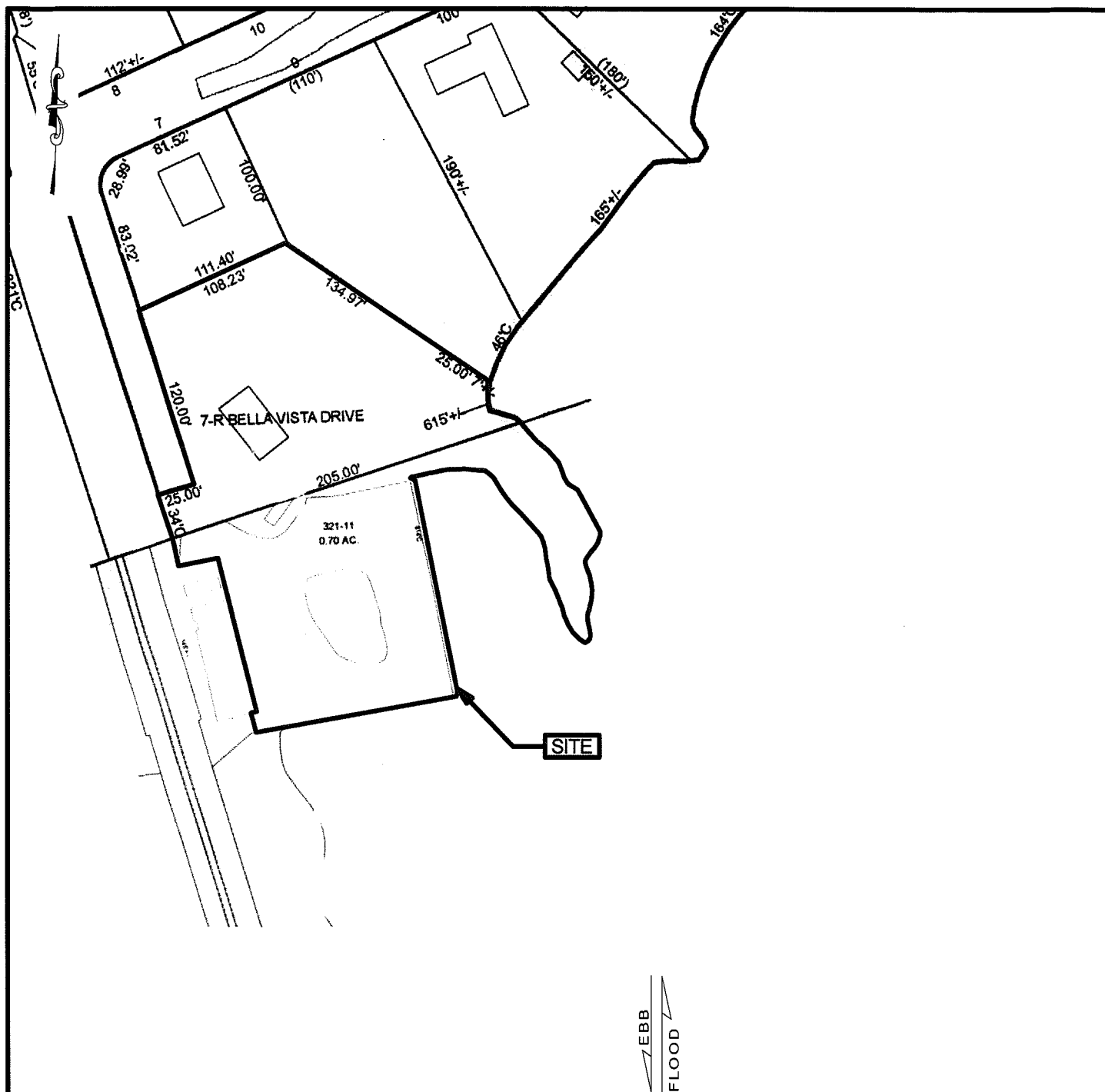
5-B Old Post Road, Madison CT 06443
(203) 245-8138

FIGURE 1
SITE LOCATION MAP

BOATING ON THE THAMES PROPERTY
NEW LONDON, CONNECTICUT

OCTOBER 2, 2008

FILE NO.: 06-62



EBB
FLOOD

NOTES:

- 1) THIS DRAWING IS AN ASSEMBLY OF DATA COLLECTED IN THE FIELD BY COASTLINE CONSULTING, LLC ON 2/07/07, TOGETHER WITH THE FOLLOWING DRAWINGS AND SOURCES:
 - A. "PROPERTY SURVEY PROPERTY OF WILLIAM H. MALLOY 7R BELLA VISTA DRIVE WATERFORD/NEW LONDON, CONNECTICUT" DATED 6/29/2006, SCALE 1"=40' AND CONDUCTED BY GERWICK - MEREEN, LLC.
 - B. WATERFORD ASSESSOR MAP #76
 - C. NEW LONDON ASSESSOR MAP #F01
- 2) THIS DRAWING IS FOR PLANNING AND PERMITTING PURPOSES ONLY AND IS NOT INTENDED FOR BID DOCUMENTS OR CONSTRUCTION.
- 3) SOUNDINGS ARE IN FEET AND ARE REFERENCED TO THE MEAN LOW WATER (MLW) DATUM.

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FIGURE 2
SITE PLAN VIEW

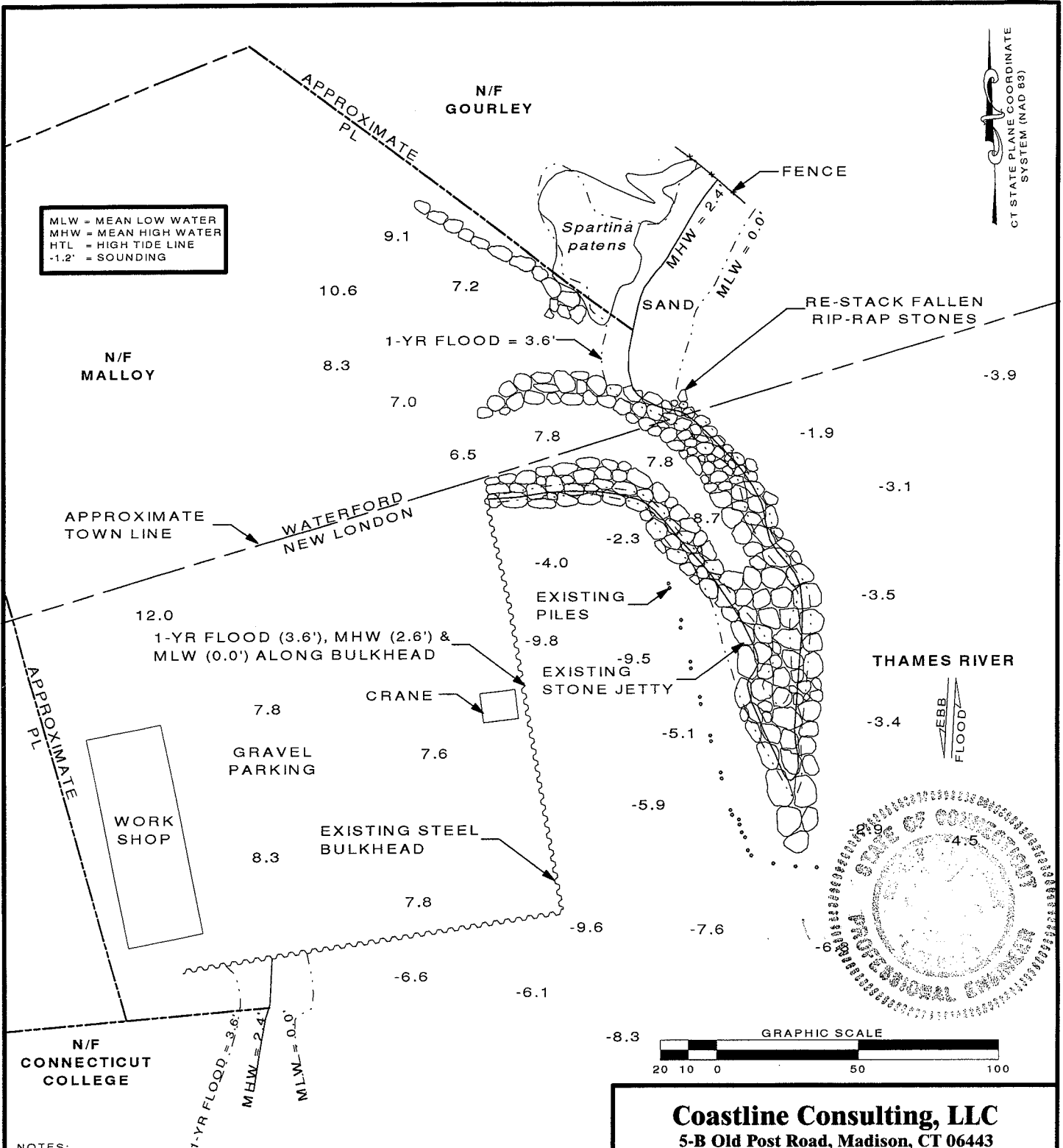
BOATING ON THE THAMES
NEW LONDON, CONNECTICUT

OCTOBER 2, 2008

SCALE: 1" = 100'

CT STATE PLANE COORDINATE
SYSTEM (NAD 83)

MLW = MEAN LOW WATER
MHW = MEAN HIGH WATER
HTL = HIGH TIDE LINE
-1.2' = SOUNDING



NOTES:

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 - A. "PROPERTY SURVEY PROPERTY OF WILLIAM H. MALLOY 7R BELLA VISTA DRIVE WATERFORD/NEW LONDON, CONNECTICUT" DATED 6/29/2006, SCALE 1"=40' AND CONDUCTED BY GERWICK - MERREIN, LLC.
 - B. WATERFORD ASSESSOR MAP #76
 - C. NEW LONDON ASSESSOR MAP #F01
 - D. ACOE MAP TITLED "THAMES RIVER NEW LONDON CONNECTICUT CONDITION SURVEY 25 FOOT CHANNEL AND TURNING BASIN" REFERENCE NUMBER: V-3 SHEET 3 OF 10, DATED 3/30/04, SCALE 1"=200' AND CONDUCTED BY R. MACGOVERN HYDROGRAPHIC CREW.
- 2) THIS DRAWING IS FOR PLANNING AND PERMITTING PURPOSES ONLY AND IS NOT INTENDED FOR BID DOCUMENTS OR CONSTRUCTION.
- 3) BATHYMETRIC CONTOURS AND SOUNDINGS WERE FIELD-LOCATED BY SEAVISION MARINE SERVICES, LLC ON A HYDROGRAPHIC SURVEY DATED 2/20/08. UPLAND ELEVATIONS WERE FIELD LOCATED BY COASTLINE CONSULTING, LLC. ALL ELEVATIONS ARE IN FEET AND REFERENCED TO THE MEAN LOW WATER (MLW) TIDAL DATUM BASED ON NGVD29 VERTICAL DATUM.

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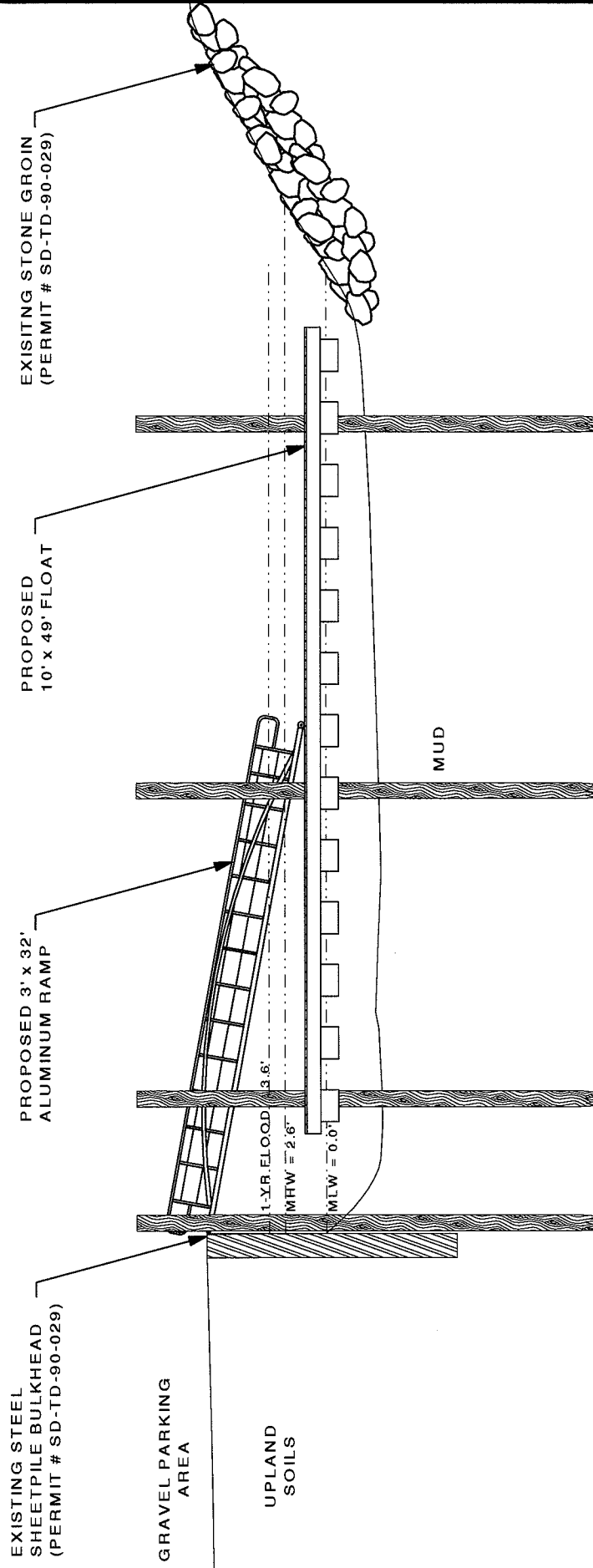
**FIGURE 3
EXISTING CONDITIONS**

**BOATING ON THE THAMES
7R BELLA VISTA DRIVE
NEW LONDON, CONNECTICUT**

FEBRUARY 29, 2008

SCALE: 1" = 50'

A ————— A'



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FIGURE 5
CROSS-SECTION (A-A')

BOATING ON THE THAMES
NEW LONDON, CONNECTICUT

OCTOBER 2, 2008

SCALE: 1" = 10'

NOTES:

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 - A. "PROPERTY SURVEY PROPERTY OF WILLIAM H. MALLOY 7R BELLA VISTA DRIVE WATERFORD/NEW LONDON, CONNECTICUT" DATED 6/29/2006, SCALE 1"=40' AND CONDUCTED BY GERWICK - MEREEEN, LLC.
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B _____ B'

PROPOSED 12"
TIMBER PILE

PROPOSED
8' x 108' DOCK

EXISTING
STONE JETTY

PROPOSED
8' x 124' DOCK

1-YR FLOOD = 3.6'

MHW = 2.4'

MLW = 0.0'

SOIL

MUD

GRAPHIC SCALE



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FIGURE 6

JETTY CROSS-SECTION

BOATING ON THE THAMES
7R BELLA VISTA DRIVE
NEW LONDON, CONNECTICUT

OCTOBER 2, 2008

SCALE: 1" = 10'
HORIZ. & VERT.

NOTES:

- 1) THIS DRAWING IS AN ASSEMBLY OF DATA COLLECTED IN THE FIELD BY COASTLINE CONSULTING, LLC ON 2/07/07, TOGETHER WITH THE FOLLOWING DRAWINGS AND SOURCES:
A. "REVISED FIGURE 4, PROPOSED CONDITIONS, BOATING ON THE THAMES, 7R BELLA VISTA DRIVE, NEW LONDON, CT" DATED FEBRUARY 29, 2008 AND PREPARED BY COASTLINE CONSULTING, LLC.
- 2) THIS DRAWING IS FOR PLANNING AND PERMITTING PURPOSES ONLY AND IS NOT INTENDED FOR BID DOCUMENTS OR CONSTRUCTION.
- 3) BATHYMETRIC CONTOURS AND SOUNDINGS WERE FIELD-LOCATED BY SEAVISION MARINE SERVICES, LLC ON A HYDROGRAPHIC SURVEY DATED 2/20/08. UPLAND ELEVATIONS WERE FIELD LOCATED BY COASTLINE CONSULTING, LLC. ALL ELEVATIONS ARE IN FEET AND REFERENCED TO THE MEAN LOW WATER (MLW) TIDAL DATUM BASED ON NGVD29 VERTICAL DATUM.